

appropriators and claimants named in the foregoing notice of appropriation; that he has ---read said notice of appropriation, and knows the contents thereof, and that all the matters and statements contained therein are true.

Richard, T. Booth

Subscribed and sworn to before me this Fifth day of Septbr 1905

Eugene E Dickerson

SEAL.

Notary Public in and for Flathead County,

State of Montana.

*I Certify that I received and filed
this Instrument for record on the
.....20th day of...Sept.....
19..05., at 4:30 o'clock, P.M.*

*..... W..H..Smith.....
County Recorder.*

WATER POLICY INTERIM
COMMITTEE. 2013-14

May 13, 2014 Exhibit No. 11

Notice of Water-right Location and appropriation.

KNOW ALL MEN BY THESE PRESENTS: That I, A.H. Wethey, of the City of Butte, County of Silver Bow, State of Montana, do here publish and declare as a legal notice to all whom it may concern as follows, to-wit:

First: That I have appropriated and claimed, and hereby do appropriate and claim twenty-four thousand (24,000) cubic feet per second of time of the waters of Missoula River in the County of Missoula, State of Montana. Said appropriation is made and claimed at a point on said River where the same flows through the East one-half ($\frac{1}{2}$) of the Southeast quarter ($\frac{1}{4}$) of the Northeast quarter ($\frac{1}{4}$) of Section twenty (20), Township thirteen (13) north, Range Eighteen (18) west, and at a point where a copy of this notice is posted,

Second: that the purposes for which said water is claimed ar for manufacturing, domestic, irrigating and other beneficial and useful purposes, and the right is claimed in connection with said water-right to build and construct dams, ditches, flumes, aqueducts and other superstructures for the purpose of utilizing the said water, it being the intent of this appropriation to enable the owner thereof to generate electric and other power, to create storage reservoirs and ponds for the storing of water and the holding of logs, and for the creation of water power with which to run Mills and machinery, and to carry water by means of ditches and flumes from said point of appropriation and from said dam to points north west and south of said dam for irrigating lands lying in those directions, and for use for domestic and other purposes in the City of Missoula and its vicinity and elsewhere.

Third: that the place or places of intended use of said water are:

(a) At the dam to be built on and across said Missoula River on the East one-half ($\frac{1}{2}$) of the Southeast quarter ($\frac{1}{4}$) of the Northeast quarter ($\frac{1}{4}$) of Section twenty (20), Township thirteen (13) north, Range eighteen (18) west.

(b) For irrigating purposes on lands lying to the north, west and south of said dam, but which said lands cannot now be properly described ^{by legal} subdivisions, because it cannot at present be determined what lands can be reached and covered by a ditch to be constructed from said dam to the lands which it is intended shall be irrigated.

Fourth: That the means of diversion will be a dam constructed across the said Missoula River, and a ditch or flume or ditches and flumes to be built and constructed on either bank thereof from, at or near the top of said dam, said flume or ditch or flumes ^{and} ~~or~~ ditches to be of sufficient size and ^{of} proper dimensions to carry the amount of water hereby appropriated, and to be not less than six feet in depth and thirty feet in width, and intended to carry twenty-four thousand (24,000) cubic feet per second of time of the waters of said Missoula River from said Missoula River at the point of diversion aforesaid, thence to and upon any land which it may be found possible to irrigate therefrom and along a right-of-way for ditches and flumes to be hereafter acquired.

Fifth: That this appropriation is made on the 21 st day of September, A.D.1905.

Sixth: That the name of the appropriator of said water is A.H.Wethey.

Seventh: That the right to acquire a right-of-way for ditches and flumes by purchase or condemnation is hereby claimed.

IN WITNESS WHEREOF, I have hereunto set my hand this 21st day of September, A.D.1905.

A.H.Wethey

Appropriator and Claimant.

State of Montana)
:ss.
County of Silver Bow)

A.H.Wethey, being first duly sworn according to law, deposes and says: That he is of lawful age and a citizen of the United States and a resident of Butte, Silver Bow County, Montana, and the appropriator and claimant of the water and water-right ^{mentioned} in the foregoing notice of appropriation; that he knows the contents thereof, and that the matters and things therein stated are true of his own knowledge; and that a copy of this notice was posted at the point of intended diversion September 21st, 1905.

A.H.Wethey.

Subscribed and sworn to before me on this 22nd day of September, A.D.1905.

(SEAL)

WmC.Siderfin.

Notary Public in and for the County of Silver Bow, State of Montana.

*I Certify that the foregoing and filed
this Instrument for record on the
25th day of Sept.
1905 at 9:03 A.M.*

W.H.Smith.
Notary Public

NOTICE OF APPROPRIATION.

STATE OF MONTANA,)
:ss
COUNTY OF RAVALLI.)

TO ALL WHOM THESE PRESENTS MAY CONCERN:

BE IT KNOWN, That I, Ida May Cowan, of Bonner, in said County and State do hereby publish and declare, as a legal notice to all the world, as follows, to-wit:

1. That i have a legal right to use, possession and control of and claim fifty cubic f per second or two thousand inches of the waters of the Bitter Root River, in said County and State for irrigating and other purposes.

11. That the purposes for which said water is claimed, and the place of intended use is for irrigation, agriculture, domestic, mechanical, manufacturing, and other useful and ben.